

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number  
(Optional)  
003252-53291-PCT

First Named Inventor: FARBER, Steven A.

International (PCT) Application No.: PCT/US2004/003020

U.S. Application No.:  
(if known)

Filed: February 3, 2004

Title: METHODS AND COMPOSITIONS FOR INHIBITING CHOLESTEROL UPTAKE

Attention: PCT Legal Staff  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity - fee \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☐ Other than small entity - fee \$ (37 CFR 1.17(m))

**2. Proper reply**

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of  
payment of fee and request for 35 U.S.C. 371 entry (identify type of reply):

☐ has been filed previously on

☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

04/27/2006 GFREY1 00000117 500850 10576388

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

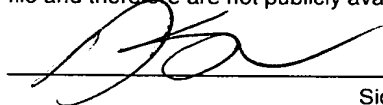
☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

4/19/06  
Date

RESNICK, David S.

Typed or Printed Name

34,235

Registration Number, if applicable

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Enclosures: ☒ Response

☒ Fee Payment

☐ Terminal Disclaimer

☒ Other (please identify): Exp. Mail Cert. EV653005068US; Petition for Revival of an International Application for Patent Abandoned Unintentionally under 37. C.F.R. 1.137(b); and Return Receipt Postcard.

## IN THE UNITED STATES RECEIVING OFFICE

PCT/US2004/003020	03.02.2004 03 February 2004	03.02.2003 03 February 2003
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: METHODS AND COMPOSITIONS FOR INHIBITING  
CHOLESTEROL UPTAKE

APPLICANT(S) FOR EO/DO: Thomas Jefferson University et al.  
INVENTOR(S)/APPLICANT(S) FOR US: Steven A. Farber et al.

Attention: PCT Legal Staff  
MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER

LETTER REGARDING PETITION FOR REVIVAL OF AN INTERNATIONAL  
APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. §  
1.137(b)

Applicants hereby petition the Commissioner for revival of the above-identified application that was abandoned unintentionally under 37 C.F.R. § 1.137(b). The present application became abandoned on August 4, 2005. Applicants unintentionally failed to provide the U.S. Basic National entry and Fee by 30 months. The U.S. National 371 entry of PCT/US2004/003020 is filed herewith. Steps have been taken to prevent this problem from occurring again.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Attention: PCT Legal Staff, MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.10\***

☒ as "Express Mail Post Office to Addressee"  
Mailing Label No. EV653005068US (mandatory)

Signature

Date: April 19, 2006

Nicole M. Aguirre

*(type or print name of person certifying)*

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.